

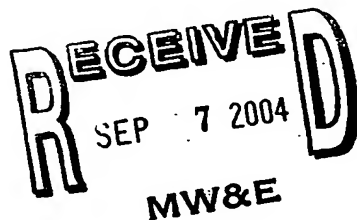
**COPY**

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/072,942	02/12/2002	Ian L. Brown	50179-101

Robert L. Price  
McDermott, Will & Emery  
600 13th Street, N.W.  
Washington, DC 20005-3096



CONFIRMATION NO. 3940

ABANDONMENT/TERMINATION  
LETTER



\*OC000000011707763\*

Date Mailed: 01/16/2004 **RECEIVED**

**NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)**

SEP 20 2004

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 05/06/2002. **MISSING PARTS CENTER 2800**

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

*J. Stokes*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

Docket No.: 50179-101

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Ian L. BROWN, et al.

Serial No.: 10/072,942

Group Art Unit: 1614

Filed: February 12, 2002

Examiner: To be assigned

For: ALTERATION OF MICROBIAL POPULATIONS IN THE GASTROINTESTINAL  
TRACT

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SEP 20 2004

TECH CENTER 2800

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

Commissioner for Patents  
Washington, DC 20231

Sir:



We are in receipt of the Notice to File Corrected Application Papers mailed May 6, 2002.

In response to this Notice, submitted herewith is a substitute specification with the proper margins in compliance with 37 CFR 1.52. If anything further is needed, please contact the undersigned immediately. The required copy of the Notice to File Corrected Application Papers is attached.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

 (#44,408)  
 Robert L. Price  
Registration No. 22,685

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
(202)756-8000 RLP:BD  
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Date: June 28, 2002



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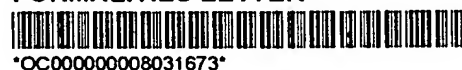
COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/072,942	02/12/2002	Ian L. Brown	50179-101

CONFIRMATION NO. 3940

Robert L. Price  
McDermott, Will & Emery  
600 13th Street, N.W.  
Washington, DC 20005-3096

FORMALITIES LETTER



\*OC000000008031673\*

Date Mailed: 05/06/2002

RECEIVED

NOTICE TO FILE CORRECTED APPLICATION PAPERS

SEP 20 2004

*Filing Date Granted*

TECH CENTER 2800

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
  - Papers contain improper margins. *Each sheet must have a left margin of at least 2.5 cm (1") and top, bottom and right margins of at least 2.0 cm (3/4")*

*A copy of this notice **MUST** be returned with the reply.*

*J. L. Price*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART I - ATTORNEY/APPLICANT COPY

Applicant: Ian L. BROWN, et al. Docket No. 50179-101

Title: ALTERATION OF MICROBIAL POPULATIONS IN THE GASTROINTESTINAL TRACT

Serial/Reg./Patent No. 10/072,942

Date Sent: 6/28/02 ☐ Hand Carried ☐ Fax ☐ Electronic ☐ Cert. of Mailing ☐ Express Mail No. \_\_\_\_\_

☐ Transmittal Letter ☐ New Patent App ☐ Utility ☐ Design ☐ Cont. ☐ CIP ☐ Div. ☐ PCT ☐ CPA ☐ RCE ☐ Prov

☐ Other: \_\_\_\_\_

\_\_\_\_\_ pages of Specification ☐ Letter submitting \_\_\_\_\_ pages of drawings

\_\_\_\_\_ pages of Claims ☐ Req. for Approval of Drawing Amendments

\_\_\_\_\_ pages of Abstract ☐ Req. for Oral Hearing ☐ Appeal Brief ☐ Reply Brief

\_\_\_\_\_ pages of Formal/Informal Drawings ☐ Not of Appeal ☐ Rule 312 Amendment/Letter

☐ Small Entity ☐ Large Entity ☐ Req. for Acknowledgement of Cited Art

☐ Declaration/Power of Attorney ☐ Issue Fee

☐ Recordation of Assignment/Security Agreement ☐ Publication Fee

☐ Information Disclosure Statement ☐ Req. for Certificate of Correction

\_\_\_\_\_ Form PTO 1449 ☐ Maintenance Fee for \_\_\_\_\_ years after grant

\_\_\_\_\_ copies of cited references ☐ Fee Address Indication Form

☐ Preliminary Amendment ☐ Terminal Disclaimer

☐ Response to Missing Parts Notice ☐ Petition to Commissioner

☒ Resp. to Notice to Correct App. Papers ☐ Status Inquiry

☐ Certified Copy of Priority Doc. ☒ Other Copy of corrected application papers & copy of Notice

☐ Claim for Convention Priority

☐ Response/Amendment to Office Action of \_\_\_\_\_

☐ Request for \_\_\_\_\_ month Extension of Time



Check for \$	Charge Deposit Acct. 500417 \$	Atty. Init.	RLP	Tqpr. #	4231	Secy. or PL:	BDeHart
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